

ZB# 03-60

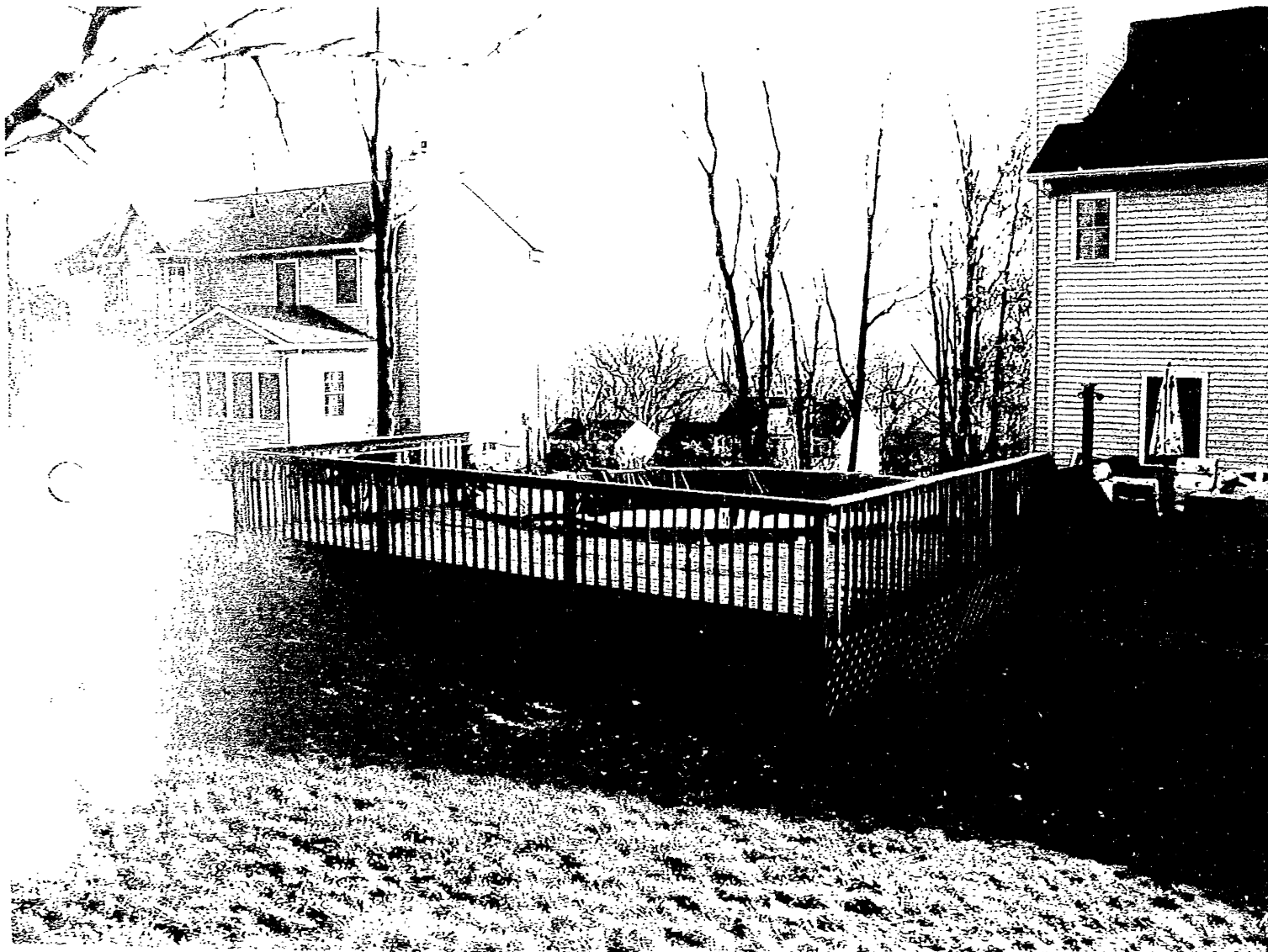
Steve Longo

52-2-3

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 1-12-04

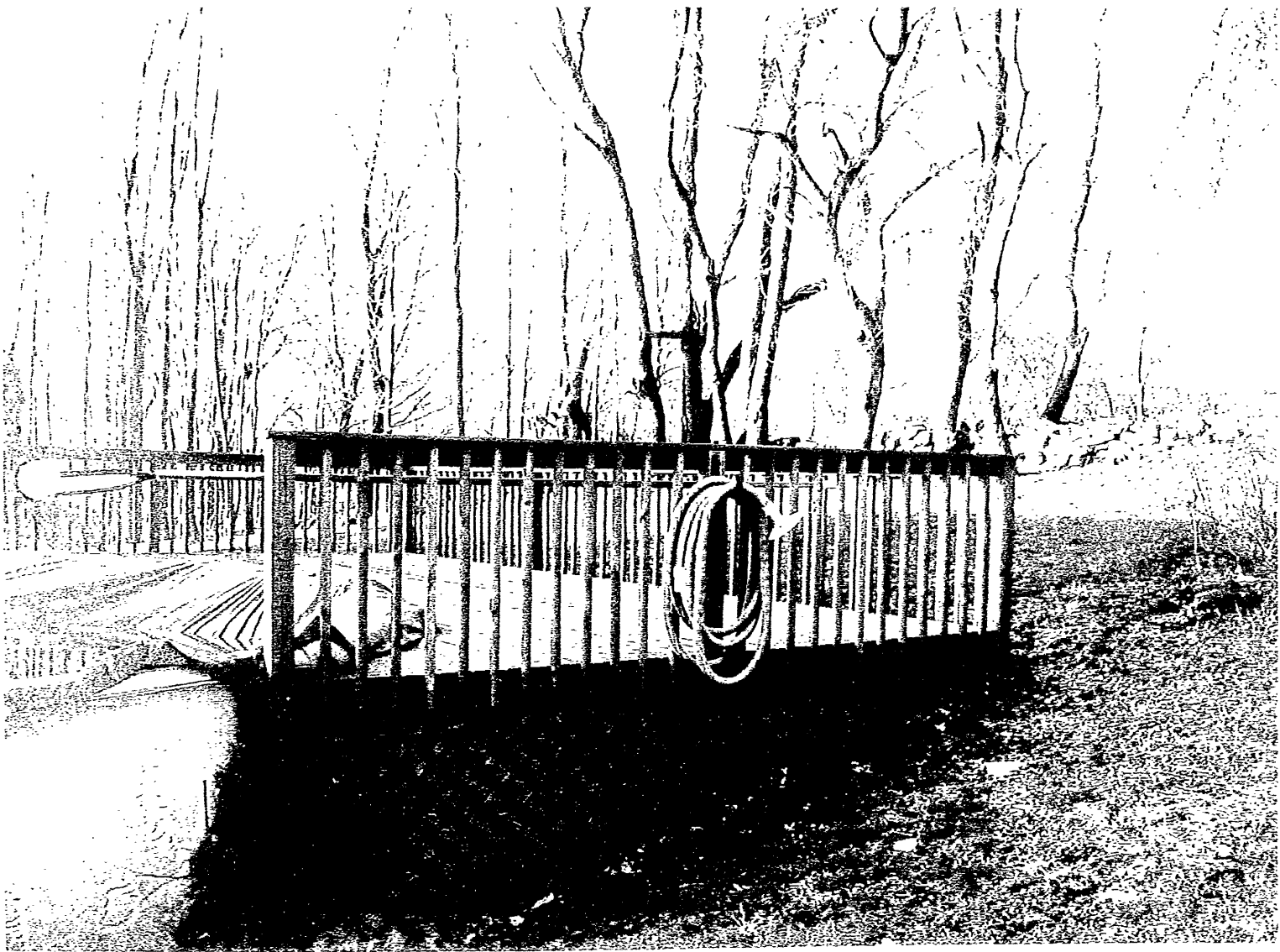
ZBA #03-60 STEVE LONGO (AREA)
34 MELISSA LN. 52-2-3

Steve + Tora Longo 496 - 0120



10/1/10





ZBRN 05-904 STEELTON
34 MILES ALN. 52-23

2BA#U3-00 SIEVE LONGO (AREA)
34 MELISSA LN. 52-2-3





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

March 15, 2004

Steve Longo (or Present Owner of)
34 Melissa Lane
Washingtonville, NY 10992

SUBJECT: REQUEST FOR VARIANCE #03-60 (52-2-3)

Dear Mr. Longo:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 52-2-3

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

STEVE LONGO

AREA

CASE #03-60

WHEREAS, STEVE LONGO, owner(s) of 34 Melissa Lane, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 19' Rear Yard Setback for existing attached pool deck (Use G-5 Bulk Tables) at 34 Melissa Lane in and R-1 Zone

WHEREAS, a public hearing was held on January 12, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there was one spectator appearing at the public hearing; and

WHEREAS, one person spoke neither in favor of nor in opposition to the Application. That person had questions which were answered and stated he had no opposition; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The property has an existing deck surrounding an above-ground pool.
 - (c) The deck does not create any water hazards or runoffs, divert the flow of water drainage or create the ponding or collection of water.

- (d) The deck is similar in size and appearance to other decks in the neighborhood.
- (e) The applicant did not remove any trees or substantial vegetation in building the deck.
- (f) The deck is necessary for safety reasons. Without the deck, a person might have access to the swimming pool from the ground level area.
- (g) The deck has been existence for over a year, during which time there have been no complaints either formal or informal.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

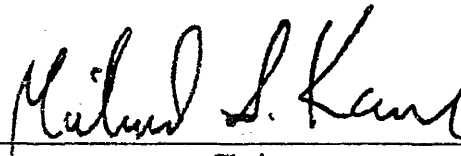
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 19' Rear Yard Setback for existing attached pool deck (Use G-5 Bulk Tables) at 34 Melissa Lane in and R-1 Zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: January 12, 2004

A handwritten signature in cursive script, reading "Michael S. Kane", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: MARCH 1, 2004
SUBJECT: ESCROW REFUND - LONGO

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 194.50 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #03-60

NAME & ADDRESS:

**Steven P. Longo
34 Melissa Lane
Washingtonville, NY 10992**

THANK YOU,

MYRA

L.R.3-1-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #03-60 TYPE: AREA

APPLICANT Name & Address:

Steven P. Longo
34 Melissa Lane
Washingtonville, NY 10992

TELEPHONE: 496-0120

RESIDENTIAL:	\$ 50.00	CHECK # <u>424</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 134

<u>DISBURSEMENTS:</u>		<u>MINUTES</u> <u>\$4.50 / PAGE</u>	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	<u>3</u> PAGES	\$ <u>13.50</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	___ PAGES	\$ _____	\$ _____
PUBLIC HEARING: **	<u>4</u> PAGES	\$ <u>22.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	___ PAGES	\$ _____	\$ _____
TOTAL:		\$ <u>35.50</u>	\$ <u>70.00</u>

**** PLEASE NOTE: AS OF 1/1/04 MINUTES ARE \$5.50 PER PAGE**

ESCROW POSTED:	\$ 300.00
LESS: DISBURSEMENTS:	\$ <u>105.50</u>

AMOUNT DUE: \$ _____

REFUND DUE: \$ 194.50

L.R. 3/1/04

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: November 6, 2003

**APPLICANT: Steve Longo
34 Melissa Lane
Washingtonville, NY 10992**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 11/6/03

FOR : Existing attached pool deck.

LOCATED AT: 34 Melissa Lane

ZONE: R-1 Sec/Blk/ Lot: 52-2-3

DESCRIPTION OF EXISTING SITE: SBL# 52-2-3

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Existing attached pool deck does not meet minimum 50' rear-yard set back.**

COPY


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-1 USE: G-5 Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

50'

31'
~~16'~~

19'
~~34'~~

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP



03-60

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certificate completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

NOV 03 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2603-1343

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises STEVEN P LONGO / TARA McKEOTH
Address 34 MELISSA LANE, WASHINGTONVILLE NY Phone # 4960120
Mailing Address SAME Fax # _____
Name of Architect N/A
Address _____ Phone _____
Name of Contractor Self - NA

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. _____
(Name and title of corporate officer)

1. On what street is property located? On the NORTH side of MELISSA LANE
(N,S,E or W)
and 600 feet from the intersection of TOLKMAN RD

2. Zone or use district in which premises are situated R-1 Is property a flood zone? Y N X

3. Tax Map Description: Section 52 Block 2 Lot 3

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy OUTSIDE DECK b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other Existing Pool Deck

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 16' Rear 24 1/2' Depth N/A Height N/A No. of stories N/A

8. If dwelling, number of dwelling units: N/A Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use N/A

10. Estimated cost _____ Fee \$50.00

PAID

Cut# 419 dated

10, 3, 03
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Liel & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

[Signature]
(Signature of Applicant)

34 Mc Lissa Lane
(Address of Applicant)

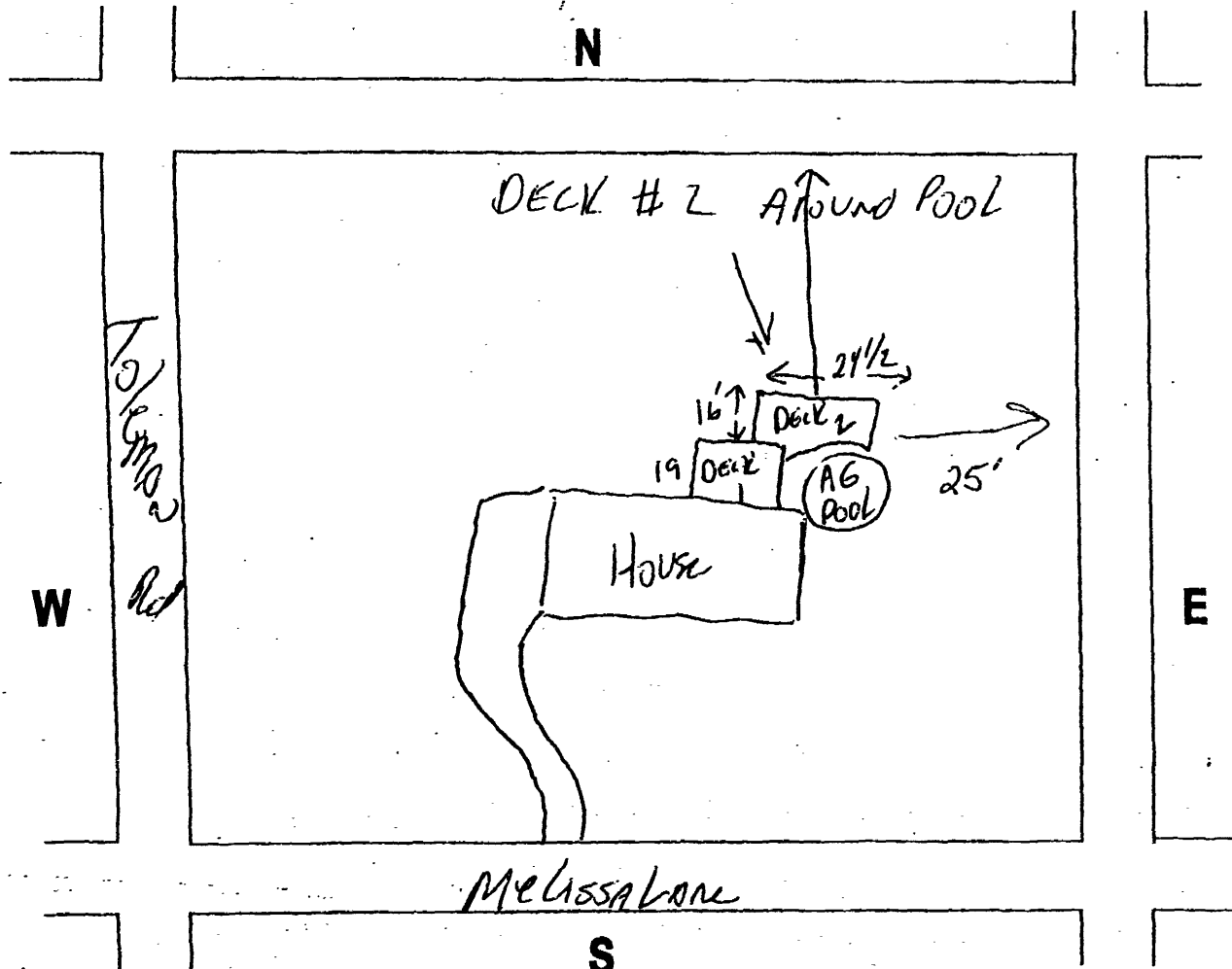
(Owner's Signature)

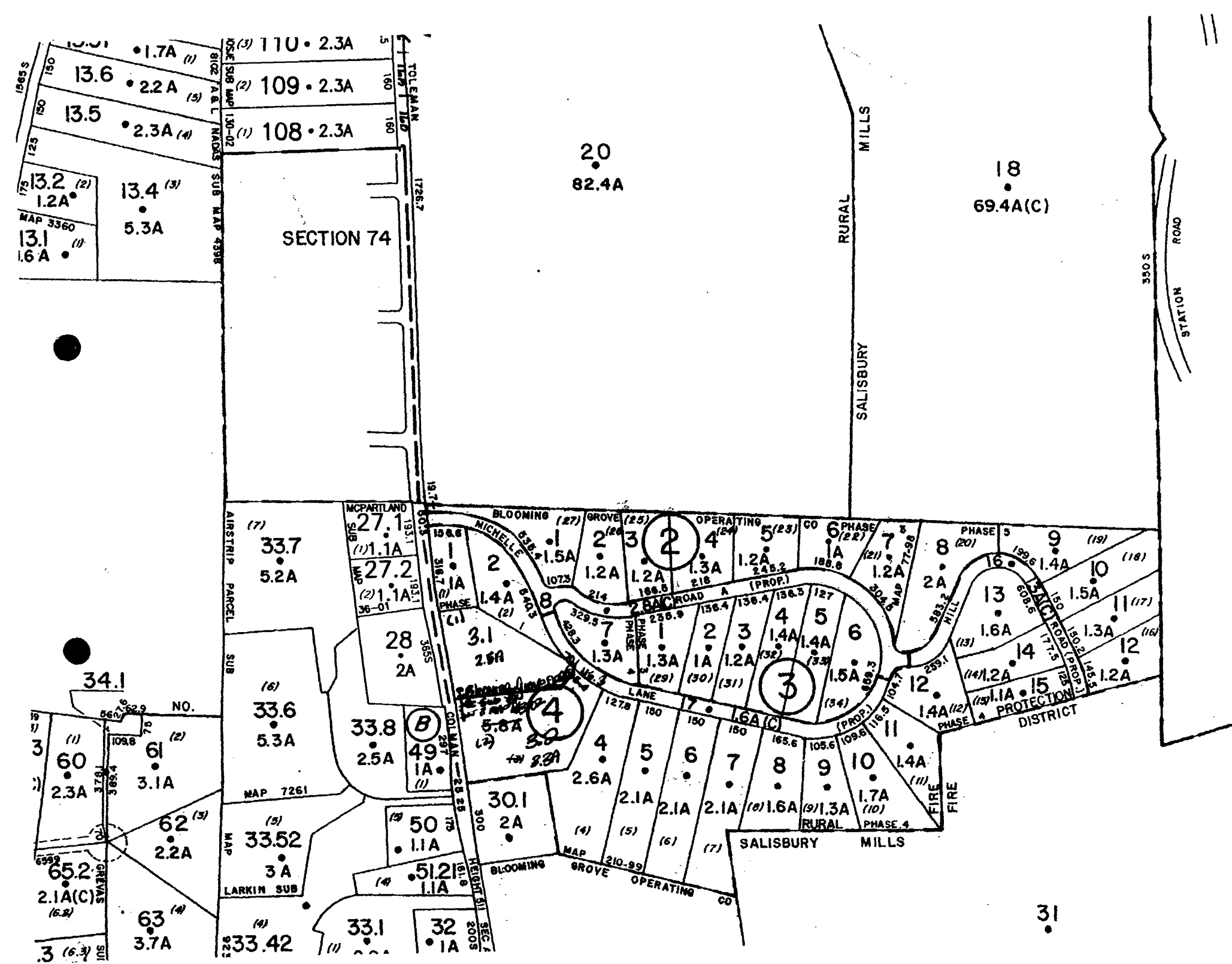
(Owner's Address)

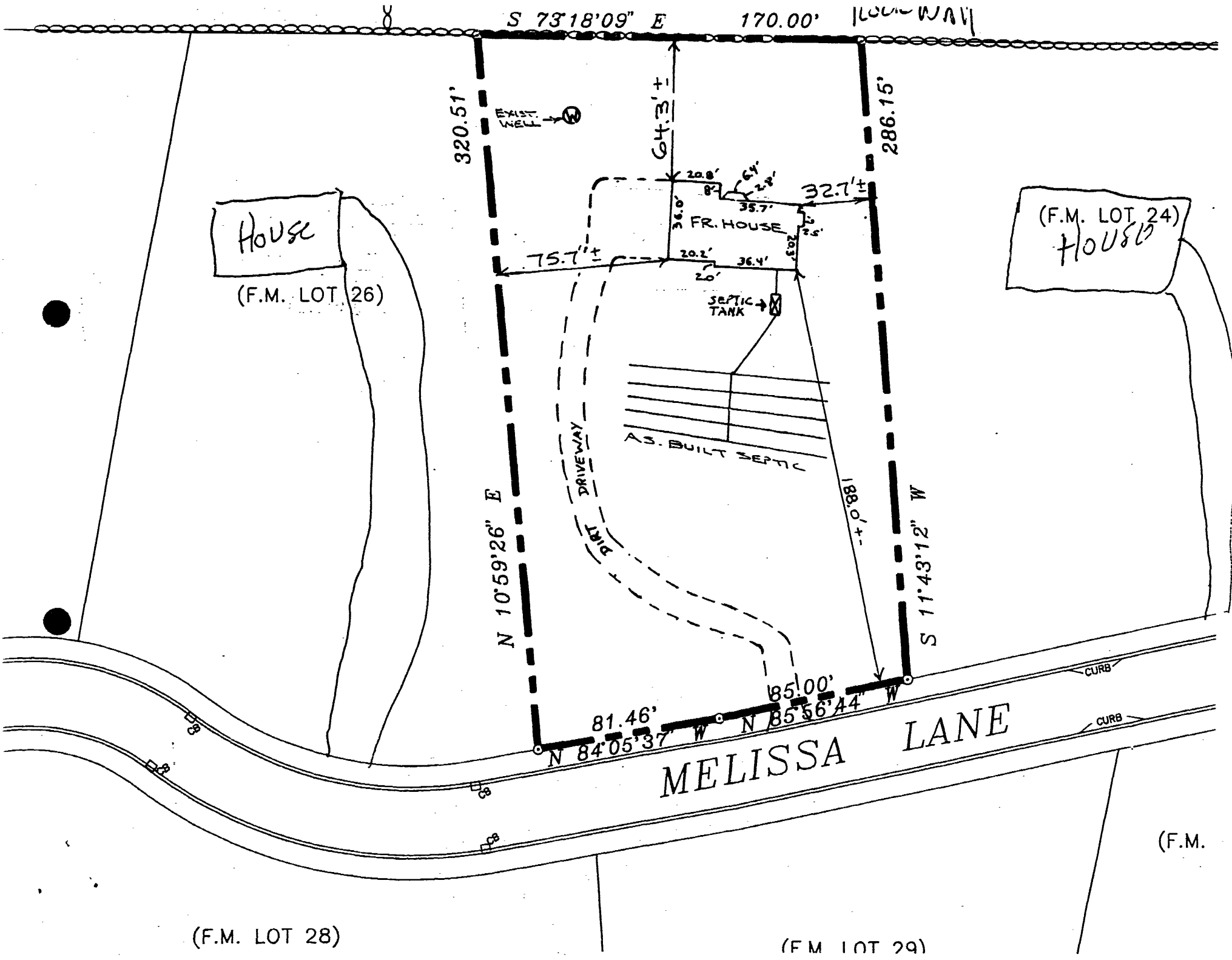
PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.







January 12, 2004

20

PUBLIC HEARINGS:

STEVE LONGO (03-60)

MR. KANE: Request for 19' rear yard setback for existing attached pool deck (Use G-5 Bulk Tables) at 34 Melissa Lane in an R-1 zone.

Mr. Steve Longo appeared before the board for this proposal.

MR. LONGO: Good evening.

MR. KANE: So speak your name and tell us what you want to do.

MR. LONGO: Basically, what I'm trying to do is legalize an existing deck that was put onto an above-ground pool behind my house.

MR. KANE: Create any water hazards or runoffs with the building of the deck?

MR. LONGO: No.

MR. KANE: Have there been any complaints formally or informally about the deck?

MR. LONGO: No.

MR. KANE: Is the deck similar in nature to size to other decks that may be in your neighborhood?

MR. LONGO: Actually, a little smaller than most of them.

MR. KANE: Cut down any trees or remove substantial shrubbery in the building of it?

MR. LONGO: Nothing.

MR. KANE: Obviously, the deck is there for safety reasons for the pool?

MR. LONGO: Correct, if you notice the back of the pool goes in a slope and it would have made it within the law, so somebody could have climbed in and injured themselves, drowned, so that gave us an automatic fence around the back of the pool so there's no access off ground level.

MR. RIVERA: How long has the deck been in existence?

MR. LONGO: A year, a little over a year long.

MR. KANE: Any other questions at this time?

MR. MINUTA: This have a permit?

MR. LONGO: The pool, yes, the pool, yes.

MR. KANE: At this point, I will open it up to the public. Is there anybody in the audience for this particular meeting that would like to speak? Sir, please step up, state your name and address clearly please and you can just sign right there so we have your name.

MR. WARD: John Ward, 23 Melissa Lane.

MR. KANE: Your comments on it, sir?

MR. WARD: I have no objection.

MR. KANE: No objection whatsoever?

MR. WARD: No.

MR. KANE: How long have you lived in the neighborhood, sir?

MR. LONGO: We're actually the second house in five years.

MR. KANE: And you, sir?

MR. WARD: I was the first.

MR. KANE: And you've heard of no complaints informally about the deck?

MR. WARD: No.

MR. KANE: So your comment is you have absolutely, you're a neighbor and you have no problem?

MR. WARD: No problems.

MR. KANE: Anybody else? Seeing as there's nobody else, we'll close that portion to the public and ask Myra how many mailings we had.

MS. MASON: On the 29th of December, I mailed out 19 envelopes containing the notice of public hearing and I had no responses.

MR. KANE: Gentlemen?

MR. RIVERA: Accept a motion?

MR. KANE: No further questions?

MR. MINUTA: No.

MR. KANE: Yes, I will.

MR. RIVERA: I move we grant Steve Longo the requested 19 foot rear yard setback for the existing pool deck at 34 Melissa Lane.

January 12, 2004

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MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE



PROJECT: Steve Longo

ZBA # 03-60
P.B.#

APPROVED: M)____S)____ VOTE: A____N____
 RIVERA _____
 MCDONALD _____ CARRIED: Y____N____
 REIS _____
 MINUTA _____
 KANE _____

CARRIED: Y ✓ N .

[illegible]

TOWN OF NEW WINDSOR ZONING BOARD
PUBLIC HEARING FOR:

Steve Longo
DATE: January 13, 2004

SIGN-IN SHEET

	NAME	ADDRESS
1.	<u>John Jones</u>	<u>23 MELISSA LANE, LEWISTON, ME</u>
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

STEVE LONGO

AFFIDAVIT OF
SERVICE
BY MAIL

#03-60

-----X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 29TH day of **DECEMBER**, 2003, I compared the 19 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

29th day of December, 2003

J. P. Gallagher
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 03-60

Request of STEVE LONGO

for a VARIANCE of the Zoning Local Law to Permit:

Request for 19' Rear Yard Setback for existing attached pool deck in an R-1 Zone

being a VARIANCE of Section (Use G-5 Bulk Tables)

for property located at: 34 Melissa Lane - WASHINGTONVILLE, NY

known and designated as tax map Section 52 Block 2 Lot 3

PUBLIC HEARING will take place on JANUARY 12, 2004
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.

Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

December 29, 2003

Steven P. Longo
34 Melissa Lane
Washingtonville, NY 10992

SUBJECT: REQUEST FOR VARIANCE #03-60

Dear Mr. Longo:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

34 Melissa Lane
Washingtonville, NY

is scheduled for the January 12th, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 12-09-03 PROJECT NUMBER: ZBA# 03-60 P.B. # _____

APPLICANT NAME: STEVE LONGO

PERSON TO NOTIFY TO PICK UP LIST:

STEVE LONGO
34 MELISSA LANE
WASHINGTONVILLE, NY 10992

TELEPHONE: 496-0120

TAX MAP NUMBER:	SEC. <u>52</u>	BLOCK <u>2</u>	LOT <u>3</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	BLOCK _____	LOT _____

PROPERTY LOCATION: 34 MELISSA LANE
WASHINGTONVILLE, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 425

TOTAL CHARGES: _____



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessor's Office

December 12, 2003

Steve Longo
34 Melissa Lane
Washingtonville, NY 10992

Re: 52-2-3 ZBA#03-60

Dear Mr. Longo:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

A handwritten signature in cursive script that reads 'J. Todd Wiley'. The word 'Assessor' is circled in ink at the end of the signature.

J. Todd Wiley, IAO
Assessor

JTW/lrd
Attachments

CC: Myra Mason, ZBA

52-1-20

Fox Meadow Estates, LLC
C/o Melvin Fischman, X-L Plastics
220 Clifton Boulevard
Clifton, NJ 07011

52-3-5

Glenn & Mary Rutkowski
15 Melissa Lane
Washingtonville, NY 10992

52-2-1

John & Janet Davies
38 Melissa Lane
Washingtonville, NY 10992

52-3-7

Philip & Kimberly Medora
1 Melissa Lane
Washingtonville, NY 10992

52-2-2

Vito & Lisa Denaro
36 Melissa Lane
Washingtonville, NY 10992

52-3-8 & 52-4-3.1 & 52-4-17

Highland Operating, LTD
PO Box 479
Washingtonville, NY 10992

52-2-4

Donna Huston
32 Melissa Lane
Washingtonville, NY 10992

52-4-2

Franklyn & Lydia Richards
2 Melissa Lane
Washingtonville, NY 10992

52-2-5

Thomas Jacaruso
PO Box 280
Washingtonville, NY 10992

52-4-3.2

Louis & Maria Colon
6 Melissa Lane
Washingtonville, NY 10992

52-2-6

Brian & Jodie Siegel
28 Melissa Lane
Washingtonville, NY 10992

52-4-4

Kathleen Ricketts
Neville Blake
8 Melissa Lane
Washingtonville, NY 10992

52-3-1

John & Patricia Ward
PO Box 345
Washingtonville, NY 10992

52-4-5

Karen Cestari
10 Melissa Lane
Washingtonville, NY 10992

52-3-2

Richard & Terri Nakutavicius
21 Melissa Lane
Washingtonville, NY 10992

52-4-6

Robert & Agnes Milani
12 Melissa Lane
Washingtonville, NY 10992

52-3-3

Gail Thomas
19 Melissa Lane
Washingtonville, NY 10992

52-4-7

Troy & Janet Ganzer
14 Melissa Lane
Washingtonville, NY 10992

52-3-4

Fred & Frances Thurston
17 Melissa Lane
Washingtonville, NY 10992

STEVE LONGO (03-60)

Mr. Steve Longo appeared before the board for this proposal.

MR. KANE: Request for 19 foot rear yard setback for existing attached pool deck (Use G-5 Bulk Tables) at 34 Melissa Lane in an R-1 zone.

MR. KANE: Tell us what you want to do, sir.

MR. LONGO: What we're trying to do is we're in the process of moving and we need to legalize an existing deck around an aboveground pool that we have, what I found out afterwards rear setback was 50 feet, I believe we only have 34.

MR. KANE: Did you create any water hazards or runoffs with the building of this deck?

MR. LONGO: Not at all.

MR. KANE: Cut down any trees or substantial vegetation?

MR. LONGO: No.

MR. KANE: Is it similar in size to other decks that are in the area?

MR. LONGO: Yes, actually, it's a little smaller than some of the other ones.

MR. KANE: Size and appearance wise?

MR. LONGO: Yes.

MR. KANE: Obviously, the deck and the way your yard is situated you consider the deck to be a safety issue for your pool?

MR. LONGO: Correct.

MR. KANE: You have land that goes up in the back?

MR. LONGO: Right, limits access to the pool, I have a 3 year old daughter so it was obviously very important.

MR. KANE: And even if you're approved for the variance, you would still have to pass any codes that the building department has, you understand that?

MR. LONGO: Absolutely.

MR. KANE: Show you some pictures.

MR. MINUTA: I've got them.

MR. KANE: Gentlemen, do you have any questions?

MR. MINUTA: One quick question, Mike, are there any fencing requirements for this pool?

MR. KANE: Fencing is, as long as there's, New York State requires a 46 inch fence for aboveground, for swimming pools, the above-ground pool is the exception as long as there's 4 foot clearance all the way around the pool, meaning the property is flat or sloped down then your pool wall is the fence. The official rules are 46 inches, most towns go by 48 so that where he comes up right there he might, if he didn't have 4 foot clearance to the, from the pool wall to the hill, he may have had to put a fence on the back.

MR. BABCOCK: The deck will do that.

MR. KANE: The deck covers that, right.

MR. MINUTA: Great. Accept a motion?

December 8, 2003

8

MR. KANE: Yes, I will.

MR. MINUTA: Make a motion that we present Steve Longo to a public hearing for requested 19 foot rear yard setback at 34 Melissa Lane.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE



RESULTS OF Z.B. MEETING OF: December 8, 2003

PROJECT: Steve Longo

ZBA # 03-60
P.B.#



USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

NEGATIVE DEC: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

PUBLIC HEARING: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

APPROVED: M) S) VOTE: A N
RIVERA
MCDONALD CARRIED: Y N
REIS
MINUTA
KANE

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) MM S) RS VOTE: A N
RIVERA A
~~MCDONALD~~ A
REIS A CARRIED: Y N
MINUTA A
KANE A

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M) S) VOTE: A N .

RIVERA
MC DONALD CARRIED: Y N .
REIS
MINUTA
KANE

No water
No trees cut
similar to other decks



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

December 1, 2003

Steven P. Longo
34 Melissa Lane
Washingtonville, NY 10992

SUBJECT: REQUEST FOR VARIANCE #03-60

Dear Mr. Longo:

This letter is to inform you that you have been placed on the December 8th, 2003 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

34 Melissa Lane
Washingtonville, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 12-01-2003

FOR: 03-60 ESCROW

FROM: STEVEN LONGO

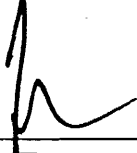
34 MELISSA LANE

WASHINGTONVILLE, NY 10992

CHECK NUMBER: 134

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

12/2/03

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#1099-2003

12/01/2003

Longo, Steven

Received \$ 50.00 for Zoning Board Fees, on 12/01/2003. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

ZBA # 03-60
application fee



TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

*

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

**

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

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TOWN OF NEW WINDSOR

PAGE 1

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NOV 26 2003

ENGINEER & PLANNING

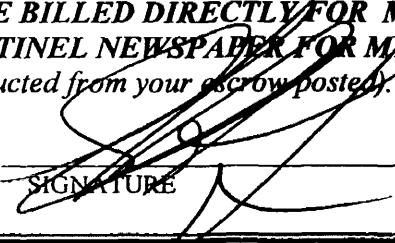
FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

**** MUST READ AND SIGN ****

<i>I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).</i>	
 SIGNATURE	11/18/03 DATE

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.
(JULY AND AUGUST - ONE MEETING PER MONTH ONLY)

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COMPLETE THIS PAGE ☐



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE



11/18/07
Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I. Owner Information:

Phone Number: (845) 496-0120
Steven Longo / Tara McElroth-Longo Fax Number: ()
(Name)
34 Melissa Lane Washingtonville NY 10992
(Address)

II. If Moving to New Address, please list forwarding address for return of escrow:

Phone Number: ()
(Name) Fax Number: ()
(Address)

III. Attorney:

Phone Number: ()
(Name) Fax Number: ()
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number ()
Fax Number ()
(Name)
(Address)

V. Property Information:

Zone: R-1 Property Address in Question: 34 Melissa Ln
Lot Size: 1.2 AC Tax Map Number: Section 52 Block 2 Lot 3
a. What other zones lie within 500 feet?
b. Is pending sale or lease subject to ZBA approval of this Application? YES
c. When was property purchased by present owner? 1998
d. Has property been subdivided previously? NO If so, When:
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE
OF SUBMITTAL.**

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**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

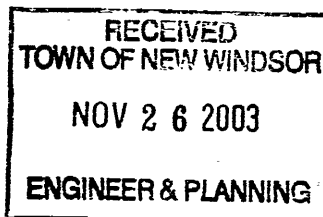
<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd.	50'	31'
Reqd. St Front*		19'
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*		
Floor Area Ration**		
Parking Area		

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

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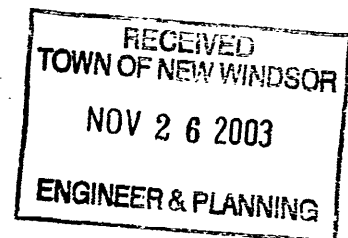
**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

THIS VARIANCE DOES NOT IMPACT ANYONE
OTHER THAN THE PROPERTY OWNER - I BELIEVE A 50' SET BACK
IS UNREASONABLE IN OUR AREA AS SOME BACK YARDS ARE TOTAL
AS ONLY 60-70' DUE TO THE SEPTIC SYSTEMS BEING IN THE
FRONT YARD.



PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

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XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
 - ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
 - ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
 - ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

18 day of NOVEMBER 2003.

MARIA COLON
Notary Public, State of New York
Qualified in Orange County
Reg #01C05059434
Commission Expires April 29, 2006

Signature and Stamp of Notary

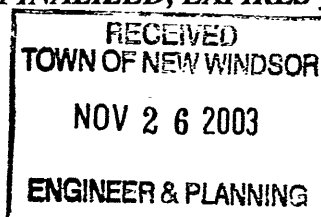
Steven Longo / Tara Longo / Michael Roth
Owner's Signature (Notarized)

STEVEN LONGO - TARA LONGO / MICHAEL ROTH
Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.



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